

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

In re: Newport Creamery, Inc.
Debtor(s)

BK NO. 01-13196
CHAPTER 7

ANDREW S. RICHARDSON, TRUSTEE
OF THE NEWPORT CREAMERY, INC.
Plaintiff

AP NO. 01-1118

v.

ROBERT E. SWAIN
ROCOMI ENTERPRISES, LLC
NEWPORT CREAMERY, L.P.,
NEWBERG, L.P.
NEWHART, L.P. and TARPON
HIGHLANDS DEVELOPMENT
CORPORATION

Defendants

NOTICE OF APPEAL

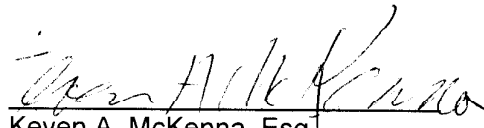
Defendants appeal under 28 U.S.C. §158(a) or (b) from the Order entered in this adversary proceeding on the 21st day of September, 2001, attached hereto as Exhibit 1.

The names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

Andrew S. Richardson, Trustee of Newport Creamery, Inc.

John Boyajian, Esq.
Boyajian, Harrington & Richardson
182 Waterman Street
Providence, RI 02906
(401) 273-9600

Dated: October 1, 2001


Keven A. McKenna, Esq.
23 Acorn Street
Providence, RI 02903
(401) 273-8200 (401) 521-5820 Fax

If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this notice of appeal. Any other party may elect, within the time provided in 28 U.S.C. section 158(c), to have the appeal heard by the district court.

FILED OCT 01 '01 16:04 USBR1

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PROOF OF SERVICE

STATE OF RHODE ISLAND
COUNTY OF Rhode Island

1. I am employed in the County of _____, State of Rhode Island. I am over the age of 18 and not a party to the within action. My business address is as follows:

2. **Regular Mail Service:** On October 1, 2001, I served the documents described as: NOTICE OF APPEAL on the interested parties at their last known address in this action by placing a true and correct copy thereof in a sealed envelope with postage thereon fully prepaid in the United States Mail at Providence, Rhode Island, addressed as set forth below.

Andrew S. Richardson Trustee
Boyajian & Harrington & Richardson
152 Waterman Street
Providence RI 02906

☐ Addresses continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: 10-1-01

KEVEN A. MCKENNA
Type Name

Kevin A. McKenna
Signature